
Introduced by Senator Margett

February 15, 2005

An act to amend Section 2077 of the Fish and Game Code, relating to endangered species.

LEGISLATIVE COUNSEL'S DIGEST

SB 242, as introduced, Margett. Endangered species.

Existing law requires the Department of Fish and Game to review species listed as an endangered species or as a threatened species every 5 years to determine if the conditions that led to the original listing are still present, as provided. Existing law also specifies that the review of species that are listed by both the Fish and Game Commission and the United States Department of Interior will be conducted in conjunction with the 5-year review process of the United States Department of Interior, and specifies dates for the initial review of endangered species and threatened species.

This bill would delete obsolete references to dates for conducting initial reviews of species.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 2077 of the Fish and Game Code is
- 2 amended to read:
- 3 2077. (a) The department shall review species listed as an
- 4 endangered species or as a threatened species every five years to
- 5 determine if the conditions that led to the original listing are still
- 6 present. The review shall be conducted based on information
- 7 which is consistent with the information specified in Section

1 2072.3 and which is the best scientific information available to
2 the department. The review shall include a review of the
3 identification of the habitat that may be essential to the continued
4 existence of the species and the department's recommendations
5 for management activities and other recommendations for
6 recovery of the species. The department shall notify any person
7 who has notified the commission, in writing with their address,
8 of their interest, and the department may notify any other person.

9 (b) Review of species that are listed by both the commission
10 and the United States Department of Interior will be conducted in
11 conjunction with the five-year review process of the United
12 States Department of Interior.

13 ~~(c) Initial review of those species listed by the commission~~
14 ~~before January 1, 1982, that are not listed by the federal~~
15 ~~government shall be undertaken and completed by July 1, 1987.~~
16 ~~Initial review of those species listed by the commission after~~
17 ~~January 1, 1982, that are not listed by the federal government~~
18 ~~shall be undertaken and completed within five years of the date~~
19 ~~the species was originally listed by the commission.~~

20 ~~(d)~~ Notwithstanding any other provision of this section, the
21 commission or the department may review a species at any time
22 based upon a petition or upon other data available to the
23 department and the commission.

24 ~~(e)~~

25 (d) The department shall report in writing to the commission
26 the results of its five-year review for each listed species. The
27 commission shall treat any report of the department under this
28 subdivision which contains a recommendation to add a species
29 to, or remove a species from, the list of endangered species or the
30 list of threatened species as a department recommendation
31 submitted pursuant to Section 2072.7.